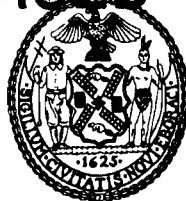


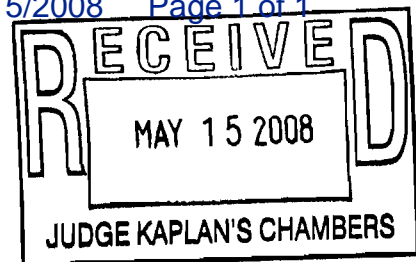
MEMO ENDORSED

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>5/15/08</u>



THE CITY OF NEW YORK
LAW DEPARTMENT

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May 14, 2008

BY HAND DELIVERY

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Jean Paul Ottley v. The City of New York, et. al., 08 CV 02994 (LAK) (JCF)

Your Honor:

I am the Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department assigned to the above-referenced case. It has come to my attention that defendants Stosch, Penny, Hayden and Moyer were served with a copy of the Summons and Complaint on April 17th and that the time in which they were to answer or otherwise respond was May 7th. Without appearing on their behalf, I am writing to respectfully request that these officers be given a brief extension of time to answer or otherwise respond to the complaint, until May 23rd, 2008, which is the date the court has scheduled the Initial Conference.¹ Therefore, this extension would not affect any deadlines and neither party is prejudiced by this extension. This is the defendants second request for an enlargement of time, with the first request being made on behalf of the City of New York only, as none of the individual defendants had been served at that time. Plaintiff's counsel has consented to this request.

We are requesting an extension because I was on vacation for a week and a half and the fact that the officers had been served only came to my attention yesterday. As such, this office has not yet had the opportunity to meet with officers Stosch, Penny, Hayden and Moyer to

¹ This office notes that an Answer on behalf of The City of New York, P.O. Dominick Nasso, P.O. Joseph Redmond and P.O. Scott Kienle was filed yesterday, May 13, 2008. Defendant EMT Dennis Machtel was served on April 28, 2008 and his time to respond is May 19th, 2008.

SO ORDERED

Created
[Signature]
LEWIS A. KAPLAN, USDJ
5/15/08